

**STATE DEFINITIONS OF  
PRIMARY AND SECONDARY CONTACT RECREATION  
AND ASSOCIATED WATER QUALITY CRITERIA**

**Colorado (Regulation 31)**

**Class 1 - Primary Contact:** These surface waters are suitable or intended to become suitable for recreation activities in or on the water when the ingestion of small quantities of water is likely to occur. Such waters include but are not limited to those used for swimming, rafting, kayaking, tubing, windsurfing and water-skiing.

**Class 1a - Existing Primary Contact Use** (Primary contact uses have been documented or presumed to be present)--with *E. coli* criteria of 126/100 ml as a geometric mean.

**Class 1b - Potential Primary Contact Use** (waters where no UAA has been done, but reasonable level of inquiry has not identified existing Class 1 uses)--with *E. coli* criteria of 205/100 ml as a geometric mean.

**Class 2 - Secondary Contact:** These surface waters are not suitable or intended to become suitable for primary contact recreation uses, and a UAA has been completed, but are suitable or intended to become suitable for recreational uses on or about the water which are not included in the primary contact subcategory, including but not limited to wading, fishing and other streamside or lakeside recreation.

[Criteria] *E. coli* geometric mean = 630/100ml

**Primary Contact Uses:** The Basic Standards define primary contact uses as recreational activities where "the ingestion of small quantities of water is likely to occur." The regulation provides a list of example primary contact recreational uses such as swimming, rafting, kayaking, tubing, windsurfing and water-skiing. However, this is not an exclusive list of activities. As a result of recent rulemaking hearings, the Commission has determined that in some circumstances water play by children is a primary contact use.

**Water Play by Children:** Children, due to their size and types of play behavior (hand to mouth) are at greater risk of ingesting small quantities of water during water play in surface waters. In appropriate circumstances as elaborated below, the Commission considers water play by children to be primary contact recreation that requires a primary contact classification because of the potential exposure pathways and recognized immunological susceptibilities of children. Existing use by children is included in Recreational Class 1a. Potential use by children is included in the Recreation 1b classification.

**This does not mean, as suggested by some, that all water bodies would be reclassified as Recreation Class 1a or 1b based on some potential for child's play. Rather, the Commission intends that a stream should be classified Recreation Class 1a or 1b due to the presence or potential for child's play only where the evidence demonstrates a likelihood of such activity on a frequently occurring basis. Therefore, child's play may be an appropriate basis for a Recreation Class 1a or 1b classification in a developed area where there is easy access to a stream for children and it is likely**

**that children will desire to play in the stream; it may not be an appropriate basis for such classifications in areas where it is not expected that children will be playing in a stream on a frequently occurring basis. Factors such as lack of adequate flow, excessive flows, remoteness from developed areas, physical limitations to access, steep banks, and visibly poor water quality may make it unlikely that child's play will take place on a frequently occurring basis.**

## **Delaware**

**Primary contact recreation:** Any water-based form of recreation, the practice of which has a high probability for total body immersion or ingestion of water (examples include but are not limited to swimming and water skiing).

**[Criteria]** For all fresh waters of the state, the geometric average of a representative group of samples shall not exceed 100 Colonies/100ml of **Enterococcus**. A statistically derived risk of highly credible swimming-associated gastroenteritis illness of 12.5 per 1000 swimmers (1.25%) has been utilized to calculate these criteria.

**Secondary contact recreation:** A water-based form of recreation, the practice of which has a low probability for total body immersion or ingestion of water (examples include but are not limited to wading, boating, and fishing).

## **Massachusetts (314 CMR 4.03)**

**Primary contact recreation:** Any recreation or other water use in which there is prolonged and intimate contact with the water with a significant risk of ingestion of water. These include, but are not limited to, wading, swimming, diving, surfing and water skiing.

**[Criteria]** Fecal Coliform Bacteria shall not exceed a geometric mean of 200 organisms per 100 ml in any representative set of samples nor shall more than 10% of the samples exceed 400 organisms per 100 ml. This criterion may be applied on a seasonal basis at the discretion of the Department.

**Secondary contact recreation:** Any recreation or other water use in which contact with the water is either incidental or accidental. These include but are not limited to fishing, boating and limited contact incident to shoreline activities.

**[Criteria]** Fecal Coliform Bacteria shall not exceed a geometric mean of 1000 organisms per 100 ml, nor shall 10% of the samples exceed 2000/100 ml.

## **Ohio**

**Bathing waters:** These are waters that, during the recreation season, are suitable for swimming where a lifeguard and/or bathhouse facilities are present, and include any additional such areas where the water quality is approved by the director. Water bodies assigned the bathing waters use designation are not necessarily indicated in rules 3745-1-08 to 3745-1-30 of the Administrative Code but include local areas of those water bodies meeting this definition.

**[Criteria]** E. coli - geometric mean E. coli content (either MPN or MF), based on not less than five samples within a 30-day period, shall not exceed 126/100 ml and E. coli content shall not exceed 235/100ml in more than 10% of the samples taken during any 30-day period.

**Primary contact:** These are waters that, during the recreation season, are suitable for full-body contact recreation such as, but not limited to, swimming, canoeing, and SCUBA diving with minimal threat to public health as a result of water quality. In addition to those water body segments designated in rules 3745-1-08 to 3745-1-32 of the Administrative Code, all lakes and reservoirs meeting the definition of bathing waters, are designated primary contact recreation.

**[Criteria]** E. coli - geometric mean E. coli content (either MPN or MF), based on not less than five samples within a thirty-day period, shall not exceed 126/100ml and E. coli content shall not exceed 298/100ml in more than 10% of the samples taken during any 30-day period.

**Secondary contact:** These are waters that, during the recreation season, are suitable for partial body contact recreation such as, but not limited to, wading with minimal threat to public health as a result of water quality.

**[Criteria]** E. coli shall not exceed 576/100ml in more than 10% of the samples taken in a 30-day period.

## **Michigan (R 323)**

**Total body contact recreation:** means any activities normally involving direct contact with water to the point of complete submergence, particularly immersion of the head, with considerable risk of ingesting water, including swimming.

**[Criteria]** All waters of the state protected for total body contact recreation shall not contain more than 130 E. coli per 100 ml, as a 30-day geometric mean. Compliance shall be based on the geometric mean of all individual samples taken during 5 or more sampling events representatively spread over a 30-day period. Each sampling event shall consist of 3 or more samples taken at representative locations within a defined sampling area. At no time shall the waters of the state protected for total body contact recreation contain more than a maximum of 300 E. coli per 100 ml. Compliance shall be based on the geometric mean of 3 or more samples taken during the same sampling event at representative locations within a defined sampling area.

**Partial body contact recreation:** means any activities normally involving direct contact of some part of the body with water, but not normally involving immersion of the head or ingestion water, including fishing, wading, hunting, and dry boating.

**[Criteria]** All waters of the state protected for partial body contact recreation shall not contain more than a maximum of 1000 E. coli per 100 ml. Compliance shall be based on the geometric mean of 3 or more samples, taken during the same sampling event, at representative locations within a defined sampling area.

### **North Carolina (15A NCAC 02B.0202)**

**Primary Recreation:** includes swimming, skin diving, skiing, and similar uses involving human body contact with water where such activities take place in an organized or on a frequent basis.

[Class B Waters] freshwaters protected for primary recreation which includes swimming on a frequent or organized basis and all Class C uses.

### **15A NCAC 02B.0219 Fresh Surface Water Quality Standards for Class B Waters**

The following water quality standards apply to surface waters that are for primary recreation, including frequent or organized swimming and are classified as Class B waters. Water quality standards applicable to Class C waters as described in Rule .0211 of this Section also apply to Class B waters.

- (1) Best Usage of Waters. Primary recreation and any other best usage specified by the "C" classification;
- (2) Conditions Related to Best Usage. The waters shall meet accepted standards of water quality for outdoor bathing places as specified in Item (3) of this Rule and shall be of sufficient size and depth for primary recreation purposes. Sources of water pollution which preclude any of these uses on either a short-term or long-term basis shall be considered to be violating a water quality standard.

- (3) Quality standards applicable to Class B waters:
  - (a) Sewage, industrial wastes, or other wastes: none which are not effectively treated to the satisfaction of the Commission; in determining the degree of treatment required for such waste when discharged into waters to be used for bathing, the Commission shall consider the quality and quantity of the sewage and wastes involved and the proximity of such discharges to waters in this class; discharges in the immediate vicinity of bathing areas may not be allowed if the Director determines that the waste can not be reliably treated to ensure the protection of primary recreation;
  - (b) Organisms of the coliform group: fecal coliforms not to exceed geometric mean 200/100ml (MF count) based on at least five consecutive samples examined during any 30-day period and not to exceed 400/100ml in more than 20% of the samples examined during such period.

### **15A NCAC 02B.0106 Considerations/Assigning Classifications for Primary Recreation**

In assigning the B or SB (saltwater) classification to waters intended for primary recreation, the Commission will take into consideration the relative proximity of sources of water pollution and will recognize the potential hazards involved in locating swimming areas close to sources of water pollution and will not assign this classification to waters in which such water pollution could result in a hazard to public health. Discharges to waters classified as B or SB will meet the reliability requirements specified in 15A NCAC 2H.0124. Discharges to waters where a primary recreation use is determined by the Director to be attainable will be required to meet water quality standards and reliability requirements to protect this use concurrently with reclassification efforts.

**Secondary Recreation:** includes wading, boating, or other uses not involving human body contact with water, and activities involving human body contact with water where such activities take place on an infrequent, unorganized, or incidental basis.

[Class C Waters] freshwaters protected for secondary recreation, fishing, aquatic life including propagation and survival, and wildlife. All freshwaters shall be classified to protect these uses at a minimum.

**[Criteria]** Total fecal coliform not to exceed 200/100ml based on at least 5 consecutive samples in a 30 day period, nor exceed 400/100ml in greater than 20% of the samples in the period.

***Reggie Note: this is the same criteria as Primary Recreation***

### **New Jersey**

**"Primary contact recreation"** means water related recreational activities that involve significant ingestion risks and includes, but is not limited to, wading, swimming, diving, surfing, and water skiing.

**[Criteria]** Enterococci levels shall not exceed a geometric mean of 33/100 ml, nor shall any single sample exceed 61/100 ml in **fresh water**.

**[Criteria]** Enterococci levels shall not exceed a geometric mean of 35/100 ml, nor shall any single sample exceed 104/100 ml in **marine waters**.

**"Secondary contact recreation"** means recreational activities where the probability of water ingestion is minimal and includes, but is not limited to, boating and fishing.